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08 UNITED STATES DISTRICT COURT  
09 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 UNITED STATES OF AMERICA, ) Case No.: CR 91-248 RSM  
11 ) CR 01-1282 TSZ  
12 Plaintiff, )  
13 v. ) SUMMARY REPORT OF U.S.  
14 GAYLON LEE THIEFAULT, ) MAGISTRATE JUDGE AS TO  
15 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE

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16 A probation revocation hearing on supervised release violations was held before the  
17 undersigned Magistrate Judge on June 29, 2007. The United States was represented by Assistant  
18 United States Attorney Douglas Whalley, and the defendant by Mr. Michael Nance. The  
19 proceedings were recorded on cassette tape.

20 The defendant had been sentenced on or about July 1, 1993, on a charge of rape by the  
21 Honorable Walter T. McGovern. The defendant was sentenced to 84 months in custody  
22 followed by five years of supervised release.

23 The defendant had also been convicted and sentenced in the District of Oregon, cause  
24 number CR 95-71-01, for conspiracy to possess and distribute marijuana. Following his  
25 sentence, he was placed on supervised release for two years. His supervision was transferred  
26 to the Western District of Washington in CR 01-128 Z.

On January 25, 2001, a warrant was issued for the alleged violation of his conditions of supervision. In the Petition for Warrant, U.S. Probation Officer Scott Henderson asserted the following violation by defendant:

(1) Committing the crime of rape in the second degree in Snohomish County on or about January 23, 2001, in violation of the general condition that he not commit a federal, state or local crime.

At a hearing on June 29, 2007, the government moved to amend the petition to state the charge as:

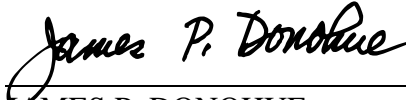
(1) Committing the crime of attempted second degree rape in violation of RCW 9A.44.050(1)(a) and 9A.28.020 in Snohomish County on or about January 23, 2001, in violation of the general condition that he not commit a federal, state or local crime.

The defendant admitted to the violation as amended, and waived any evidentiary hearing as to whether it occurred.

I therefore recommend that the Court find the defendant violated his supervised release on CR 91-248 RSM and 01-128Z, and that these matters be consolidated before the Honorable Ricardo S. Martinez. A disposition hearing is scheduled before the Honorable Ricardo S. Martinez for July 9, 2007 at 10 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 29th day of June, 2007.

  
JAMES P. DONOHUE  
United States Magistrate Judge

cc:	District Judge:	The Hon. Ricardo S. Martinez
	AUSA:	Mr. Douglas Whalley
	Defendant's attorney:	Mr. Michael Nance
	Probation officer:	Ms. Andrea Porter